

REMARKS

The Office Action dated January 18, 2006 has been reviewed and carefully considered. Claims 27 and 28 are added. Claims 1-28 are pending, the independent claims remaining 1, 9, 12, 22 and 25. Claims 1, 3-9 and 12-26 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Item 2 of the Office Action notes that DICOM should be capitalized wherever it appears, and such seems to be the case in the present patent application.

Item 3 notes that trademarks can be used in patent application with respect accorded to their status as trademarks. Claim 5 and 16 are now amended for clarity in this regard.

Claims 12-24 stand rejected under 35 U.S.C. 112, second paragraph, as indefinite, and have now been amended in a manner believed to overcome the instant ground of rejection.

Claims 9, 12 and 22 stand rejected under 35 U.S.C. 101 as directed to non-statutory subject matter, and have now been amended in a manner believed to overcome the instant ground of rejection.

Claims 1-4, 7, 8, 10, 11, 25 and 26 stand rejected under 35 U.S.C. 102(b) as unpatentable over U.S. Patent No. 5,546,580 to Seliger et al. ("Seliger").

Claim 1, as amended, recites, ". . . reconciling study identifiers of the first and second medical studies in favor of the first medical study, whose unique study identifier, having a distinct database entity, is thereby assigned to the composite study. . ."

Support for the amendment of claim 1 is found at least at [0010].

Seliger fails to disclose or suggest the above-quoted aspect of claim 1.

Claim 12 is amended in the same manner and likewise is deemed to distinguish patentably over Seliger.

Claim 25, as amended, recites, ". . . wherein, in accordance with said lexicon, the merging includes an automatic adding of a series of the second medical study to the composite study, the series of the second medical study having a series identifier the same as a pre-merge corresponding series identifier. . ."

Support for the amendment of claim 25 is found at least in [0025]-[0027].

Seliger fails to disclose or suggest the above-quoted aspect of claim 25.

Claim 5 stands rejected under 35 U.S.C. 103(a) as unpatentable over Seliger in view of the applicants' allegedly admitted prior art ("AAAPA").

Claim 5 depends from claim 1. The "AAAPA" cannot compensate for the shortcomings of Seliger.

Claim 6 stands rejected under 35 U.S.C. 103(a) as unpatentable over Seliger in view of U.S. Patent No. 6,574,629 to Cook, Jr., et al. ("Cook").

Claim 6 depends from claim 1. Cook is directed to picture archiving, but cannot compensate for the deficiencies of Seliger.

Claim 9, as amended, recites, ". . . saving respective identifiers of the first and second studies; deleting a distinct database identity for at least one of the first and second studies; and assigning a unique study identifier to the merged study."

Support for the amendment of claim 9 is found at least in [0010] and [0045].

The prior art of record, alone or in combination, fails to disclose or suggest the above-quoted aspect of claim 9.

Claim 22 has been similarly amended and is likewise deemed to distinguish patentably over the prior art of record.

Support for new claims 27 and 28 is found at least in [0004] and [0023].

A check for \$100.00 is enclosed in payment of the fee for adding two, additional claims in excess of 20 total.

Amendment
Serial No. 09/876,782

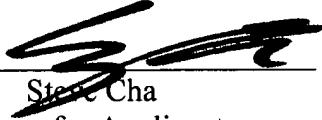


Docket No. US010388

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler
Registration No. 48,027


By: ~~Steve Cha~~
Attorney for Applicant
Registration No. 44,069

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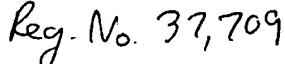
Mail all correspondence to:
Aaron Waxler, Registration No. 48,027
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

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David Rosenblum, Reg. No. 37,709
(Name of Registered Rep.)


(Signature and Date)


Reg. No. 37,709